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**TRANSMITTAL VIA EXPRESS MAIL:**

EV832997624US

To The Honorable Commissioner  
of Patents and Trademarks  
Mail Stop Non-Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application 09/976,481 for "SOFTWARE SYSTEM FOR  
QUANTITATIVE MEASUREMENT AND ACCOUNTABILITY OF  
SOCIAL SERVICES"; (from PPA 60/239,770 filed: October 12, 2000);  
Filed: October 12, 2001; Inventor: Stephen Butz.

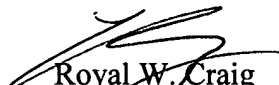
Dear Sir:

Enclosed, please find the following:

1. Amendment Under Rule 1.116 responsive to the Official Action dated 14 December 2006 (12pp), including Appendix A: Replacement Abstract.
2. One (1) Notice of Appeal under 37 C.F.R. 1.17 (b)(small entity).
3. One (1) Request for Reconsideration (2pp).
4. Our post card. Please date stamp and return.

Please charge the appeal fee of \$250, and any additional or unanticipated fees to our Deposit Account 50-3391 (a duplicate copy of this charge authorization is attached.) Thank you for your cooperation and assistance.

Respectfully submitted,

  
Royal W. Craig  
Reg. No. 34,145

I HEREBY CERTIFY that on March 14, 2007, one copy of the  
above-referenced documents were transmitted by Express Mail to the United States  
Patent and Trademark Office.





IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re U.S. Utility Patent Application of

Butz, Stephen

Art Unit: 2163

Appln. No. 09/976,481

Examiner: Charles Edward Lu

Filed: 12 October 2001

For: SOFTWARE SYSTEM FOR QUANTITATIVE MEASUREMENT AND  
ACCOUNTABILITY FOR SOCIAL SERVICES

\* \* \*

REQUEST FOR RECONSIDERATION

The Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231-5601

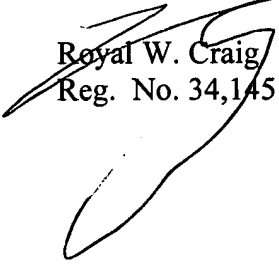
Sir:

In response to the final Office Action dated 14 December 2006 in the above-identified case, reconsideration is requested of the Examiner's decision to make the Official Action final. In the first official action the Examiner objected to the Abstract for a misspelling, and rejected the pending claims under 35 U.S.C. 102(b) as being anticipated by Kraftson, et al. (U.S. Patent No. 6,151,581). Kraftson et al. '581 shows a computer system for acquiring, managing, analyzing, and summarizing patient clinical care information for physicians. In response Applicant corrected the Abstract and amended the claims very slightly to specify that the present system is not physician/patient system but "provides quantitative accountability for social services provided by a case worker to a client".

In this final Official Action the Examiner “maintained” his objection to the Abstract but for a new reason (excessive word count), and now rejects the pending claims under 35 U.S.C. 102(e) and (a) as being anticipated by a newly-cited reference, namely Douglas et al (U.S. Patent 6,039,688). Douglas ‘688 suggests a system by which physicians can well-manage patients, just as Kraftson. Clearly, Applicant’s attempt to stress “social services provided by a case worker to a client” had no impact and did not prompt this new rejection. Douglas et al is an entirely new reference, and entirely new grounds for rejection of all pending claims and applicant should be entitled to a full and fair opportunity to address the new ground for rejection. An Official Action should not be made final if it includes a new ground of rejection not necessitated by Amendment of the applicant. MPEP 706.07(a). The Examiner has not articulated how Applicant’s Amendment could have necessitated the new rejections, and Applicant contends that the record reflects that it did not. Consequently, the Examiner's issuance of a final Official Action is thought to be premature, and the Applicant respectfully requests that the finality of the rejection be withdrawn.

\* \* \*

Respectfully submitted,

  
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